

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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October 5, 2015

Via Facsimile and U.S. Mail

The Honorable Frank P. Geraci, Jr.
Chief United States District Judge
Western District of New York
U.S. Courthouse
100 State Street
Rochester, New York 14614

RE: Libertarian Party of Erie County et al. v. Cuomo et al., 15-cv-00654 (FPG)

Your Honor:

I am an Assistant Attorney General in the Office of Eric T. Schneiderman, Attorney General of the State of New York (the "Attorney General"). This Office represents the Attorney General, who has been named as a defendant in his official capacity, in the above-referenced action, which raises Second and Fourteenth Amendment challenges to New York's firearms licensing statutes.

In accordance with Your Honor's Chambers Procedures, I write to respectfully request that the Court extend the time for Attorney General to answer, move, or otherwise respond to plaintiffs' complaint from October 9, 2015 to November 6, 2015, so that all defendants may be placed on the same schedule and to accommodate the other professional obligations of counsel. Plaintiffs' counsel, James Ostrowski, has consented to this request.

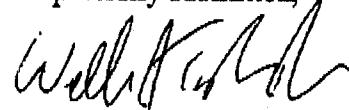
In an order dated August 7, 2015, Your Honor previously extended the Attorney General's time to respond to plaintiffs' complaint from August 11, 2015 to October 9, 2015. (ECF Docket No. 3.) At that time, neither of the other two defendants -- Andrew M. Cuomo, Governor of the State of New York (the "Governor") and Joseph A. D'Amico, Superintendent of the New York State Police (the "Superintendent") -- had been served in this action. They still have yet to be served. Plaintiffs' counsel has indicated to this Office, however, that intends to take steps to effect service on the Governor and the Superintendent this week. Assuming that

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such service occurs in short order, as plaintiffs' counsel has indicated that it will, we anticipate that current requested extension, until November 6, 2015, should be sufficient time for all defendants to respond to the complaint.¹ Granting this request will not impact any other scheduled events in this litigation.

Thank you for your time and consideration of this request.

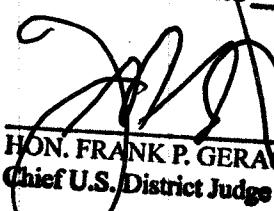
Respectfully submitted,



William J. Taylor, Jr.
Assistant Attorney General

cc: James Ostrowski, Esq., *Attorney for Plaintiffs*
(via e-mail and U.S. Mail)

SO ORDERED THIS 5th DAY OF Oct 20 15



HON. FRANK P. GERACI, JR.
Chief U.S. District Judge

¹ As the Governor and the Superintendent have not yet been served and thus are not yet formally represented by this Office, however, that anticipation cannot be certain. To the extent any further adjustment to the schedule proves necessary here, for any reason, we will, of course, contact the Court.